

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC., PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327  
Honorable Joseph R. Goodwin

LELANIA D. MCCARTHY

**Plaintiff(s),**

v.

**CASE NO.** 2:14-cv-26297

ETHICON, INC. and  
JOHNSON & JOHNSON

**Defendant(s).**

**MOTION TO TRANSFER MDL**

**COME NOW** the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2327, In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2326 Boston Scientific Corp. Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2327 against Ethicon, Inc., and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Ethicon, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2326 :

Because Ethicon, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2327 to 2326; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2327 and re-associate it with MDL 2326 .

/s/ Douglass A. Kreis

Attorney for Plaintiff  
Douglass A. Kreis, Esq.  
Florida Bar Number: 0129704  
AYLSTOCK, WITKIN, KREIS &  
OVERHOLTZ, PLLC  
17 E. Main Street, Suite 200  
Pensacola, Florida 32502  
Phone: (850) 202-1010

#### **CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ Douglass A. Kreis

Attorney for Plaintiff  
Douglass A. Kreis, Esq.  
Florida Bar Number: 0129704  
AYLSTOCK, WITKIN, KREIS &  
OVERHOLTZ, PLLC  
17 E. Main Street, Suite 200  
Pensacola, Florida 32502  
Phone: (850) 202-1010